

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER LEE CARD,

No. 2:24-cv-02250-EFB (PC)

Plaintiff,

v.

SACRAMENTO COUNTY PROBATION
DEPARTMENT, et al.

ORDER AND FINDINGS AND
RECOMMENDATIONS

Defendants.

Plaintiff is a county jail inmate proceeding without counsel in an action brought under 42 U.S.C. § 1983. The complaint asserts solely a claim for defamation. ECF No. 1 at 24. To bring suit in federal court, the complaint must present a basis for federal jurisdiction. As all defendants named in the complaint are located in California, federal jurisdiction based on diversity of citizenship is absent. 28 U.S.C. § 1332. As plaintiff asserts solely a state-law claim (defamation), federal question jurisdiction is also absent. 28 U.S.C. § 1331; *Caterpillar, Inc. v. Williams*, 482 U.S. 386, 392 (1987); *Ellerbe v. Becca's Restaurant & Sports Lounge*, No. 2:24-cv-00555-JAD-DJA, 2024 WL 3570958, at *5 (D. Nev. July 26, 2024). As the court is without subject-matter jurisdiction, the case must be dismissed.

Accordingly, it is ORDERED that the Clerk of Court randomly assign a district judge to this action. It is further RECOMMENDED that the case be dismissed without leave to amend

1 and without prejudice for lack of jurisdiction, and that the Clerk of Court be directed to
2 administratively terminate all pending motions.

3 These findings and recommendations are submitted to the United States District Judge
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
5 after being served with these findings and recommendations, any party may file written
6 objections with the court and serve a copy on all parties. Such a document should be captioned
7 “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections
8 within the specified time may waive the right to appeal the District Court’s order. *Turner v.*
9 *Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

10

11 Dated: May 29, 2025


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28